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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

WILLIAM A. MUNDELL
CHAIRMAN

JIM IRVIN
COMMISSIONER

MARC SPITZER
COMMISSIONER

2001 JUL -9 P 3: 06

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
THE ARIZONA DEPARTMENT OF
TRANSPORTATION TO UPGRADE AN
EXISTING CROSSING OF THE ARIZONA
EASTERN RAILWAY COMPANY AT 4TH
AVENUE IN THE CITY OF SAFFORD, GRAHAM
COUNTY, ARIZONA, M.P. BDA1137.48.

DOCKET NO. RR-02634A-01-0476

PROCEDURAL ORDER

BY THE COMMISSION:

On June 12, 2001, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Arizona Eastern Railway Company ("Railroad") to upgrade an existing crossing at the Railroad's existing track at 4th Avenue in Safford, Graham County, Arizona at mile post BDA1137.48.

IT IS THEREFORE ORDERED that the request of the Arizona Department of Transportation shall be considered an application for the Railroad to upgrade an existing crossing pursuant to A.R.S. § 40-337, et seq.

IT IS FURTHER ORDERED that the Railroad shall be considered as the Respondent in this proceeding.

IT IS FURTHER ORDERED that the hearing on the application shall be held on August 2, 2001, at 9:40 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

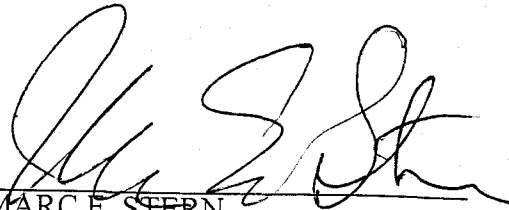
IT IS FURTHER ORDERED that within five business days of receipt of this Procedural Order, the Arizona Department of Transportation shall provide the Railroad and the City of Safford and any other municipality or interested party that may be affected by the application with a copy of the application and this Procedural Order by certified mail.

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1 IT IS FURTHER ORDERED that the Arizona Department of Transportation shall file with
2 the Commission's Docket Control proof of compliance with this Procedural Order concurrently with
3 the mailing of notice ordered herein.

4 DATED this 9th day of July, 2001.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered
11 this 9th day of July, 2001 to:

12 John Syers
13 Railroad Engineering Coordinator
14 Arizona Department of Transportation
205 S. 17th Avenue, Mail Drop 618E
Phoenix, AZ 85007

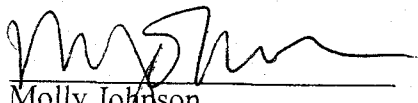
15 Donald Tolle
16 Arizona Eastern Railway Company
P.O. Box Y
Claypool, AZ 85532-1008

17 Christopher Kempley, Chief Counsel
18 Legal Division
19 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

20 Don Thompson, Railroad Safety Supervisor
21 Office of Railroad Safety
22 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

23 ARIZONA REPORTING SERVICE, INC.
24 2627 North Third Street, Ste. Three
Phoenix, AZ 85004-1103

25
26 By:


Molly Johnson
Secretary to Marc E. Stern